

**FOR IMMEDIATE RELEASE**

**ADMINISTRATION PROPERLY APPLIED EXECUTIVE SUCCESSION LAW**

**(July 15, 2015, St. Thomas, US Virgin Islands)** Governor Kenneth E. Mapp assured the Virgin Islands community today that the Administration has properly applied the Executive Succession plan provided by law, to ensure full protection of the community during his absence from the Territory. This issue has been fully reviewed by the Acting Attorney General of the Virgin Islands and the Governor's Chief Legal Counsel to ensure compliance with the law.

The order of succession is set forth in the Revised Organic Act of 1954, which provides that in the event of the temporary absence of both the Governor and the Lieutenant Governor, "the powers of the Governor shall be exercised, as Acting Governor, by such person as the laws of the Virgin Islands may prescribe." See Rev. Org. Act of 1954 § 14 (e). Consistent with that provision, the Virgin Islands Legislature enacted the Executive Succession Act of 1972, to fill the gap left open by our governing chapter.

Pursuant to the Executive Succession Act, codified at Title 3, Section 29 of the Virgin Islands Code, during the absence of both the Governor and the Lieutenant Governor, "the *person occupying the office*" of the Commissioner of Finance must assume the powers of the office of the Governor. See 3 V.I.C. § 29 (b). Only where the Commissioner of Finance is not "physically present" in the Territory does the statute require resort to the other offices indicated, in the order listed.

"The Virgin Islands statute is clear that succession is implemented based on who happens to be *occupying* the specific offices listed. Nowhere does the statute condition implementation of the succession plan on whether the occupant of that office has completed the confirmation process," Governor Mapp said.

#####